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August 1, 2022

VIA ECF

The Honorable Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007

MEMO ENDORSED

Re: *Sanchez v EMU Australia, Inc.*; Case No. 1:22-cv-2415-KPF

Dear Judge Failla:

This firm represents the Defendant in the above-entitled action. In advance of the initial pretrial conference scheduled for August 9, 2022, at 11:00 a.m., the parties have conferred concerning anticipated motion practice and amended pleadings and have stipulated to the following, provided it meets with the Court's approval:

- Plaintiff shall file an Amended Complaint on or before August 21, 2022;
- Defendant shall respond to the Amended Complaint within 30 days after the filing of the Amended Complaint;
- If Defendant files a Motion to Dismiss the Amended Complaint, Plaintiff shall file opposition papers no later than 30 days thereafter, and Defendant shall file reply papers no later than 14 days after any opposition.

We respectfully request that the Court adjourn the initial pretrial conference to a date shortly after August 21, 2022, so that the parties and the Court are in a better position to assess potential motion practice and discovery based on the Plaintiff's amended pleading.

Respectfully submitted,

LACHTMAN COHEN P.C.


Gregory A. Blue (GB-9569)

cc: All Counsel of Record (VIA ECF)

Application GRANTED. The pretrial conference scheduled to take place on August 9, 2022, is hereby **ADJOURNED** to **September 12, 2022, at 3:30 p.m.** Plaintiff is directed to file an amended complaint on or before **August 22, 2022.** Defendant shall respond to the amended complaint by **September 21, 2022.** If Defendant wishes to move to dismiss the amended complaint, Defendant shall file a pre-motion submission in accordance with the Court's individual rules of practice, at which point the Court may order a conference to discuss the contemplated motion.

Dated: August 1, 2022
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE